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COMMITTEE MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD
SPECIAL WASTE COMMITTEE

JOE SERNA, JR., CALEPA BUILDING
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CENTRAL VALLEY ROOM
SACRAMENTO, CALIFORNIA

THURSDAY, NOVEMBER 4, 2004
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PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

COMMITTEE MEMBERS

Cheryl Peace, Chair

Linda Moulton-Patterson

Carl Washington

STAFF

Mark Leary, Executive Director

Marie Carter, Chief Counsel

Julie Nauman, Chief Deputy Director

Gary Arstein-Kerslake, Chief, Information Management
Branch

Keith Cambridge, Staff

Bob Fujii, Supervisor, Tire Remediation & Engineering
Technical Services

Jim Lee, Deputy Director

Selma Lindrud, Committee Secretary

Rubia Packard, Assistant Director, Executive Office

Doug Ralston, Manager, Information Management Branch

Todd Thalhamer, Staff

Georgianne Turner, Supervisor, Tire Facility Permitting &
Hauler Registration

ALSO PRESENT

Mark Hope, Waste Recovery West, Inc.

Terry Leveille, TL & Associates

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INDEX

	PAGE
Roll Call And Declaration Of Quorum	1
A. Deputy Director's Report	2
B. Consideration of Scope of Work for the Tracy Tire fire Site Final Remediation Contract (Tire Recycling Management Fund, FY 2005/2006 and 2006/2007)	4
Motion	9
Vote	10
C. PULLED	
D. Discussion and Request for Direction on Proposed Revisions to the California Uniform Waste and Used Tire Manifest System	10
E. Public Comment	67
F. Adjournment	72
G. Reporter's Certificate	73

1 PROCEEDINGS

2 CHAIRPERSON PEACE: Good morning. Welcome to the
3 Special Waste Committee meeting. It looks like we are all
4 here, so Selma, would you call the roll, please?

5 SECRETARY LINDRUD: Moulton-Patterson?

6 COMMITTEE MEMBER MOULTON-PATTERSON: Here.

7 SECRETARY LINDRUD: Washington?

8 COMMITTEE MEMBER WASHINGTON: Here.

9 SECRETARY LINDRUD: Peace?

10 CHAIRPERSON PEACE: Here.

11 At this time I'd like to ask you to please turn
12 off your cell phones and pagers and put them on the
13 vibrate mode.

14 There are agendas on the back table, as well as
15 speaker slips. If you want to address the Committee on an
16 item, please bring you speaker slip to Ms. Lindrud over
17 here in the pink and black jacket.

18 Members, any ex partes?

19 COMMITTEE MEMBER MOULTON-PATTERSON: I'm up to
20 date, thank you.

21 COMMITTEE MEMBER WASHINGTON: I'm up to date.

22 CHAIRPERSON PEACE: And I'd like to ex parte
23 Terry Leveille. We talked briefly about the manifest.

24 Okay. I guess we can move right along. It looks
25 like we're ready for the Deputy Director's report. Mr.

1 Lee.

2 DEPUTY DIRECTOR LEE: Thank you, Madam Chair, and
3 good morning, Committee members. My name is Jim Lee,
4 Deputy Director of the Special Waste Division.

5 Madam Chair, I have a couple of items on my
6 Deputy Director's report this morning before we commence
7 with the agenda review. The first one has to do with the
8 paint dialogue MOU. The Waste Board has been active for
9 more than ten years in providing a solution to the problem
10 of leftover paint, a hazardous waste in California. The
11 cost to local government in California to collect and
12 manage the leftover paint is more than \$9 million per
13 year.

14 Only 30 percent of the 6 million gallons of
15 leftover paint generated annually is actually collected
16 and recycled. Most leftover paint is improperly disposed
17 of as municipal waste or poured into sinks or storm
18 drains.

19 To address the leftover paint problem on a
20 national level, the Product Stewardship Institute formed
21 the National Paint Dialogue in December 2003 to bring
22 together manufacturers, recyclers, and government agencies
23 to arrive at a solution to properly manage it. The Waste
24 Board is represented in the Dialogue Group by four staff
25 from the Special Waste and Waste Prevention and Market

1 Development Divisions. Shirley Willd-Wagner of the
2 Markets Division has taken a lead role in representing the
3 Waste Board.

4 An MOU was reached by the Dialogue Group
5 September 2004 and was signed by Terry Tamminen late last
6 month. The MOU calls for eleven projects and studies at a
7 cost of \$1.2 million funded by the industry and government
8 to explore the best solutions to the issue of leftover
9 paint. The Waste Board will contribute in-kind staff time
10 in lieu of direct funding to ensure the successful
11 completion of the projects and studies. The projects and
12 studies will conclude by June 2006, at which time enough
13 information should be available to recommend a workable
14 national management system for leftover paint.

15 The other item I wanted to just kind of note for
16 the Committee was that we held the second in a series of
17 Five-Year Plan workshops down in Diamond Bar on October
18 the 27th. I believe that they were well received. We had
19 I think significant representation from various
20 stakeholder groups. We received input from the various
21 Committee and Board members.

22 Staff will be taking that information together
23 with what we heard from the stakeholder community and try
24 to compile that information into some recommendations for
25 the Board to consider at the next series of workshops,

1 which the initial one will commence on January the 5th.

2 Madam Chair, that concludes my Deputy Director
3 report. We're prepared to move into today's agenda,
4 unless you have comments.

5 CHAIRPERSON PEACE: No. You can go ahead.

6 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

7 Agenda Item B is the Consideration of Scope of
8 Work for the Tracy Tire Fire Final Remediation Contract,
9 Tire Recycling Management Fund, Fiscal Years, 2005-06 and
10 2006-2007.

11 Madam Chair and Committee members, please note
12 we're distributing a second revision that's got some minor
13 revisions to it that we're bringing to your attention at
14 this time and Mr. Thalhamer will speak of during his
15 presentation. Todd.

16 (Thereupon an overhead presentation was
17 presented as follows.)

18 MR. THALHAMER: Good morning Madam Chair, Board
19 Member Carl Washington, and Board Member
20 Moulton-Patterson. My name is Todd Thalhamer. I'll be
21 presenting Agenda Item 1, Consideration of the Scope of
22 Work for the Tracy Tire Fire Final Remediation Contract.
23 I'll keep this short so we can go on to Item Number 2. I
24 know you're going to have a full day for that one.

25 Just briefly, the scope of work will complete the

1 Tracy removal project. As we had mentioned, we have two
2 minor corrections. I'll go over them real quickly. In
3 section one, third paragraph, we're changing fiscal year
4 '05 to '06 and '06 to '07. And before that, we're
5 changing 2004 to '05 and 2005 to '06. That exact same
6 change appears on Section 5, fiscal impacts, the same
7 numbering.

8 Basically, this is a photo that was taken
9 yesterday.

10 --o0o--

11 MR. THALHAMER: To give you some idea of the
12 progress at Tracy to date, we've spent 9.5 million. We
13 removed 160,000 tons of California hazardous waste. And
14 as of yesterday, we're over 7,000 truckloads.

15 This remaining contract will provide the
16 remaining funding for the Class II material, which you're
17 actually looking at here, which is a clay, silt, sand
18 material that's been stained with a significant amount of
19 pyrolytic oil from the previous fire.

20 Other than that, if there are any questions,
21 concerns, or issues.

22 CHAIRPERSON PEACE: I have a question. On page 2
23 where you say the total amount in the Five-Year Plan
24 allocated is 11,565,000 to remediate the tire fire through
25 03-04 through 06-07. I guess I'm confused. I thought it

1 was for fiscal years 02-03 through 04-05.

2 MR. THALHAMER: You are correct, once again. We
3 seem to have missed that one as well. That needs to be
4 changed. It needs to be 05-06 -- actually, 04-05. I'm
5 sorry.

6 CHAIRPERSON PEACE: Okay. From 02-03 to 04-05.

7 MR. THALHAMER: Yes. Correct. My apologies for
8 that.

9 CHAIRPERSON PEACE: The 2.7 million that's in
10 there for 04-05 has already been used?

11 MR. THALHAMER: It's being used currently right
12 now for 04-05.

13 CHAIRPERSON PEACE: And you expect to use all
14 that money by when? By the end of December?

15 MR. THALHAMER: We're projecting looks like
16 January, early February we'll have spent the funds that
17 were allocated for that contract.

18 CHAIRPERSON PEACE: So are you going to need more
19 money to continue to clean up then from January through
20 the end of June?

21 MR. THALHAMER: Yes. We could use more money.
22 But the reason we're bringing forward the new contract is
23 so we have that overlap and get the new contract for the
24 next fiscal year. We wouldn't be able to start work until
25 July 1 when the budget is approved. So there will be some

1 down time.

2 CHAIRPERSON PEACE: If we found money from
3 somewhere else in the Five-Year Plan, like say from the
4 short-term remediation or something -- I'm just worried
5 about down time. Is anybody else worried about that? Is
6 there a way to keep this going so we don't have down time?
7 Are you just anticipating that you need that down time?

8 SUPERVISOR FUJII: Bob Fujii, Special Waste
9 Division.

10 You'd also raised that question earlier I believe
11 in an earlier discussion. And we were looking at some
12 possibilities of funding that could augment that existing
13 contract. And right now there is one potential option
14 that might be available to us. We have our short-term
15 remediation contract that will expire in May of this year.
16 And if funds were available in that contract, we're taking
17 a look at the remaining projects that will have to do that
18 contract.

19 There is a possibility we could use funds that
20 use that contract actually to remove some of that material
21 from the site. It is within the scope of work. But as I
22 said, we're evaluating the current list of sites that need
23 to be cleaned up between now and the end of this fiscal
24 year and perhaps use funds that would be remaining in that
25 contract. Because they would revert after this fiscal

1 year.

2 CHAIRPERSON PEACE: Okay. You're saying you need
3 \$1.3 million more --

4 MR. THALHAMER: Correct.

5 CHAIRPERSON PEACE: -- than what we already
6 allocated. And that was because there was a lot more
7 contaminated soil than what we originally planned?

8 MR. THALHAMER: Right. The funding that we have
9 targeted is 2.7 for 04-05 -- 05-06 and 1 million for
10 06-07. We have --

11 CHAIRPERSON PEACE: Now are you saying you want
12 to have that cleaned up before 06-07?

13 MR. THALHAMER: Yes. We'd like to have that
14 money up front.

15 CHAIRPERSON PEACE: When we do the Five-Year
16 Plan, we might need to shift those numbers?

17 MR. THALHAMER: That would be correct.

18 CHAIRPERSON PEACE: We'll need to shift those
19 numbers around.

20 MR. THALHAMER: In order to remove the pyrolytic
21 oil.

22 CHAIRPERSON PEACE: Any other questions?

23 --o0o--

24 MR. THALHAMER: In conclusion, staff recommends
25 Board approve Option 1 and adopt recommendation Resolution

1 2004-254.

2 COMMITTEE MEMBER WASHINGTON: Madam Chair.

3 CHAIRPERSON PEACE: Go ahead.

4 COMMITTEE MEMBER WASHINGTON: I'd like to move
5 adoption of Resolution 2004-254, Consideration of Scope of
6 Work for the Tracy Tire Fire Final Remediation Contract,
7 Tire Recycling Management Fund, for the years 05-06 and
8 06-07.

9 COMMITTEE MEMBER MOULTON-PATTERSON: I'll second
10 that.

11 CHAIRPERSON PEACE: We have a motion by
12 Mr. Washington, a second by Linda Moulton-Patterson.

13 Do we need to say revision two?

14 DEPUTY DIRECTOR LEE: I think we probably should
15 for the record, Madam Chair.

16 And also I would note we will make the changes
17 that you correctly identified in this item. And I'll
18 discuss it with our administrative staff to see exactly
19 how that should be brought to the attention of the full
20 Board next week as what number revision to put on it, I
21 guess.

22 CHAIRPERSON PEACE: Okay. Do you want to call
23 the roll there?

24 SECRETARY LINDRUD: Moulton-Patterson?

25 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

1 SECRETARY LINDRUD: Washington?

2 COMMITTEE MEMBER WASHINGTON: Aye.

3 SECRETARY LINDRUD: Peace?

4 CHAIRPERSON PEACE: Aye.

5 We'll move this to the full Board with the full
6 Committee support.

7 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

8 Madam Chair, the next item is Item D, Discussion
9 and Request for Direction on Proposed Revisions to the
10 California Uniform Waste and Used Tire Manifest System.

11 Madam Chair, this is an item that we brought
12 forth at your direction and the direction of the Board to
13 look at options for making revisions to the Manifest
14 System to correct and respond to issues that have been
15 identified both by staff and the regulated community.

16 In an effort to give the most objective
17 consideration to this item that we could, we requested
18 the -- enlisted the aide of Rubia Packard and our
19 Executive Office to, if you will, kind of do an in-house
20 third-party assessment, you know, of our situation. And
21 so, again, I'd like to turn the presentation over to Rubia
22 to initiate it and then introduce the other staff members
23 that will be participating.

24 (Thereupon an overhead presentation was
25 presented as follows.)

1 ASSISTANT DIRECTOR PACKARD: Thank you, Jim.

2 Good morning, Madam Chair and Board members. Rubia
3 Packard with the Executive Office. And I will be kind of
4 doing parts of this presentation and coordinating a little
5 bit on the other parts of the presentation.

6 In today's presentation, we will be covering --

7 --o0o--

8 ASSISTANT DIRECTOR PACKARD: -- the issues and
9 problems with the current WTMS, the Waste Tire Manifest
10 System; the Board direction we've received; a little
11 background and history; the areas and issues considered in
12 the analysis; and options for Board discussion and
13 direction. And at the end, we'd like to compare the
14 options for you and key areas so it's really clear what
15 option does what.

16 --o0o--

17 ASSISTANT DIRECTOR PACKARD: Based on the
18 information in the agenda item and your discussion, the
19 Board may decide to: Direct staff to implement any
20 proposed options, modify them, and then direct staff to
21 implement them; direct staff to provide additional
22 information and bring the proposed options back to a
23 future meeting of the Board; or direct staff to further
24 develop the options and seek stakeholder input, and then
25 bring the proposed options back to a future meeting of the

1 Board.

2 In terms of the issues and the problems, the
3 generators were not required -- the generators which
4 number in the neighborhood of 10- to 12,000 are now
5 required to submit forms. They were not required to
6 submit forms to the Board under the previous Manifest
7 System. So submittal of -- required submittal of the
8 forms by the group impacts the number of forms received
9 for processing and staff training and enforcement efforts.

10 In terms of other areas that we examined because
11 of their impact, the manifest unit has received
12 approximately 300,000 forms in the last year that had to
13 be processed which is considered a pretty high volume of
14 forms.

15 We've also had problems with incorrect or
16 incomplete forms that require staff follow-up to clarify
17 the information for entry into the database. And in many
18 cases manual data entry is required rather than optical
19 scanning because of problems with the forms.

20 Currently, not all regulated parties are
21 submitting the required forms. Staff believe that, in
22 part, this may be due to regulated parties holding off on
23 full compliance because the Board is considering examining
24 the system and considering how to modify it to make it
25 more efficient and effective. There may be other reasons

1 why they are not in compliance, but we don't have full
2 compliance at this time.

3 Additionally, some regulated parties have
4 indicated that the existing manifest and trip log forms
5 are too complex and are, therefore, difficult to complete
6 properly and they take too long to complete. Despite
7 these comments, staff is still hearing from regulated
8 haulers that they believe a tracking system is necessary
9 to help curb illegal disposal and storage of tires.

10 Because of the high volume of forms that require
11 staff follow-up and manual entry, staffing levels have not
12 been adequate to fully implement the system and to take
13 advantage of the full potential of the system.

14 Lastly, lack of full participation in electronic
15 data submittal by those with the capability impacts the
16 paper volume received and the accuracy and the timeliness
17 of the information.

18 --o0o--

19 ASSISTANT DIRECTOR PACKARD: Based upon all those
20 issues that have been raised and that have come up, in
21 February of this year, the Chair of this Committee
22 directed staff to evaluate the current system and identify
23 ways through which the issues just discussed could be
24 addressed. In response to this direction, staff explored
25 ways to utilize the current system, make it more

1 efficient, and reduce the volume of forms received.

2 As part of that effort, staff developed the
3 web-based data entry concept and the concept of a
4 comprehensive trip log that is the basis for Option 2. As
5 directed by the Chair of this Committee, staff conducted
6 two public workshops with the regulated community to
7 obtain feedback on web-based data entry and the
8 comprehensive trip log and to obtain any other ideas they
9 might have.

10 And, again, in response to direction from the
11 Committee Chair, the staff more recently developed a third
12 option that takes a different approach to the tracking
13 system, the monthly summary reporting option, which is
14 Option 3, that we'll discuss today.

15 --o0o--

16 ASSISTANT DIRECTOR PACKARD: Briefly, as you
17 know, SB 744 required the Board to develop the current
18 hauler registration program and the original Manifest
19 System. Regulations establishing these programs were
20 effective in May of 1996. This original Manifest System
21 required each generator, hauler, and end-use facility to
22 complete a portion of a manifest form for tire
23 transactions and to maintain a copy of that manifest on
24 site for three years. Copies were not required to be
25 submitted to the Board in that original system.

1 In 1998, AB 117 required the Board to prepare and
2 submit a report to the Legislature on the Tire Program and
3 make recommendations for needed changes.

4 The Board adopted the California Waste Tire
5 Evaluation and Recommendations Report to the Legislature
6 in June of 1999. This report recommended modifications to
7 the system in existence at that time, the Manifest System,
8 in addition to other recommendations.

9 In 2000, SB 876 was enacted, and it is this
10 legislation that formed the basis for the development of
11 the current system, the California Uniform Waste and Used
12 Tire Manifest System.

13 --o0o--

14 ASSISTANT DIRECTOR PACKARD: Public workshops
15 were held in the development phase of the WTMS. Testing
16 with the regulated community was conducted prior to
17 implementation. And then, of course, the regulatory
18 workshops during the regulation development process were
19 held with the public.

20 The system was implemented last year in July
21 2003. Implementation included hundreds of hours spent by
22 staff in developing guidance manuals and field reference
23 guides, individual training for the regulated community
24 through the Board's field inspectors, development of a
25 website with information and forms, and development of a

1 pilot electronic data transfer project to help reduce the
2 volume of paperwork.

3 As indicated earlier, at the direction of the
4 Chair of this Committee, additional workshops were held
5 this year in order to get input and comment on ways to
6 simplify the system.

7 --o0o--

8 ASSISTANT DIRECTOR PACKARD: In conducting this
9 analysis of the current system and options for
10 improvement, we looked at Tire Program goals and
11 objectives as well as the objectives of the current
12 Manifest System. We looked at enforcement objectives in
13 the sense -- in determining what data is needed to achieve
14 those objectives and how that information can be used in
15 the enforcement process. We also looked at what
16 information is needed in a Manifest System to support
17 market development efforts.

18 A major component of this analysis was the data
19 submittal process and the needs of the Board and the
20 regulated community in this process. That is, what is the
21 best way to get the more complete and accurate information
22 on waste and used tires into our system? Staff looked at
23 stakeholder impacts in terms of simplifying reporting
24 forms and requirements and reducing the volume of
25 paperwork required to be submitted.

1 The impact on Board staffing resources was also
2 considered, as currently the Board does not have adequate
3 staffing to process and manually examine and enter the
4 high volume of forms received that are problematic, that
5 is incomplete, unreadable, improperly filled out, et
6 cetera.

7 Staff also looked at the legal impact of each
8 option from the perspective of consistency with statutory
9 direction and what regulatory changes might be needed in
10 each case.

11 Lastly, the fiscal impacts of each option were
12 assessed from a system development and implementation
13 perspective.

14 --o0o--

15 ASSISTANT DIRECTOR PACKARD: Do you have any
16 questions so far? Okay.

17 What we'd like to do now is briefly describe how
18 the Tire Enforcement Program works and how the Manifest
19 System fits within that.

20 --o0o--

21 ASSISTANT DIRECTOR PACKARD: As you can see, the
22 goals and objectives of the Tire Program are to reduce
23 illegal storage and disposal of tires to minimize the
24 effect on public health and the environment and to foster
25 alternative uses or reuse of waste tires.

1 --o0o--

2 SUPERVISOR TURNER: Hello. My name is Georgianne
3 Turner. And I'll go over kind of a high approach and then
4 work our way into where enforcement fits into the whole
5 Tire Management Program.

6 The Board has a three major prong approach of
7 trying to achieve the goals that Rubia just outlined. One
8 of those is our Cleanup Program, and they're responsible
9 for cleaning up legacy and smaller sites by providing a
10 Board-managed Cleanup Program, as well as a local grant
11 program.

12 And we have the market development portion of our
13 program that encourages alternative uses and reuses to
14 waste tires. And we do this through a series of grants,
15 Commercialization Grants, Playground and Track Grants, a
16 RAC Program, and the Civil Engineering Program. And then
17 the other major component is the Enforcement Program,
18 which we'll talk about today.

19 And the Enforcement Program enforces permitting
20 and operational standards and waste tire hauler standards
21 to ensure that tires are taken to authorized facilities
22 and not illegally dumped and that tires are stored in a
23 manner that will not breed vectors and will minimize the
24 potential for tires. And those are two important goals.

25 --o0o--

1 SUPERVISOR TURNER: We achieve that in a series
2 of ways. Part of the Enforcement Program is the Hauler
3 Registration and Manifest Program that worked together to
4 assist in discouraging illegal dumping and hold haulers
5 accountable.

6 The Enforcement Program also includes a contract
7 with the CHP to conduct aerial surveillance to identify
8 illegal dumping throughout the state by air, so staff can
9 focus those efforts in those areas and follow up with
10 inspections and enforcement, if necessary. Additionally,
11 the CHP Program works with staff and our local grantees to
12 conduct checkpoints to assure haulers are registered. And
13 the CHP also assists us in training the local police
14 departments on the hauler program.

15 Additionally, we contract with ARB to provide
16 surveillance equipment, specifically video, which will
17 assist us in gathering evidence of illegal dumpers,
18 illegal tire haulers, and other illegal activities we may
19 suspect. The Board's Enforcement Program permits waste
20 tire facilities and the Board and the local grantees work
21 together in conducting inspections, investigate
22 complaints, and take enforcement actions against
23 non-compliant businesses.

24 Next slide, please.

25 --o0o--

1 SUPERVISOR TURNER: We have three major
2 stakeholders that we regulate: Generators, haulers, and
3 end users. There's some examples of those up there.
4 These stakeholders we regulate through permitting, hauler
5 registration and renewals, inspections, investigations of
6 complaints, and the review of manifest data.

7 Next slide, please.

8 --o0o--

9 SUPERVISOR TURNER: The Enforcement Program
10 tackles our objective from various approaches in order to
11 get to our problem. This is an important aspect to
12 recognize, since not one of these tools on their own are
13 useful -- are not completely useful. We use routine
14 inspections to randomly check businesses' compliance with
15 standards inspections. Can reveal businesses that are
16 operating out of compliance and help us provide for an
17 even playing field.

18 They also -- inspections also act as an audit or
19 an incentive to comply. I think most local enforcement
20 agencies would agree this is an effective tool to
21 encourage compliance. But the most often inspections act
22 as a way to educate the regulated community. And in
23 general, we know that these businesses exist, and they are
24 not our most serious violators.

25 So we need a good way to find businesses

1 operating under the radar, as we call it. So we do this
2 by receiving complaints and investigating them and also
3 conducting surveillance. It's an excellent way to catch
4 illegal dumpers and illegal haulers, but can take a large
5 amount of resources. Hence, this is the reason why we use
6 local grantees to help us with our surveillance activities
7 and why we use this as an additional tool and not a
8 primary tool.

9 Another tool is our Permitting Program. We
10 permit facilities that store over 500 tires, with some
11 exceptions. And we do this to assure that there is a tire
12 storage plan that minimizes the potential for vectors and
13 fires.

14 For large tire storage facilities, we also
15 require financial assurances. This covers the cost in
16 case of a fire.

17 Another way we tackle our program, which is what
18 we're focusing on today, is by utilizing the Board's
19 Hauler Registration and Manifest System programs and the
20 WTMS database, which is the database that collects that
21 information from the manifest. The Hauler Registration
22 Program helps register haulers with a bond to reduce
23 illegal dumping and to hold haulers responsible for loads
24 illegally dumped. The Manifest System also can support
25 evidence in our inspections and our enforcement cases.

1 And the WTMS system or any kind of database collecting
2 this information can also provide reports that provide
3 indicators of where we need to focus our efforts.

4 --o0o--

5 SUPERVISOR TURNER: So we use the current
6 manifest, and we could use other reporting mechanisms
7 during our inspections also to report and target
8 businesses that are operating illegally so we can focus
9 our efforts. And also, we can use that information as
10 evidence in enforcement cases.

11 Next slide, please.

12 --o0o--

13 SUPERVISOR TURNER: When we go out and look at a
14 generator, one of the most important things is that we
15 need some way to assure that they are contracting with
16 haulers that are registered. And that is our way to
17 assure that they are going to an authorized facility.
18 When we look at haulers, we are able to look at the
19 manifest to account for tires picked up and dropped off at
20 authorized facilities. And, lastly, manifests can be
21 reviewed at the end user to check for unregistered haulers
22 in the area and also verify that a hauler is using an
23 authorized facility.

24 Next slide.

25 --o0o--

1 SUPERVISOR TURNER: One of the ways that we have
2 used the database is to generate reports that tell us
3 which generators are not submitting manifests. And we've
4 been able to follow up on those generators, and there's a
5 significant amount of them that are not complying with the
6 law. So it gives us a way of focusing our enforcement
7 efforts.

8 We also can determine in those situations where
9 haulers have allowed their registrations to expire and
10 they're still operating in the community as a registered
11 hauler. We can get that data from the database. And,
12 lastly, we can account for tires picked up and delivered
13 by a particular hauler.

14 --o0o--

15 SUPERVISOR TURNER: We can use a manifest or some
16 sort of documentation as a way to prove that a generator
17 is using an unregistered hauler in cases where the
18 registration has expired. We can -- probably more
19 importantly, the lack of manifests at a particular
20 generator is evidence that they are most likely not using
21 registered haulers, and that can help us when we bring
22 cases forward. And, lastly, manifests can show
23 unregistered haulers who have hauled tires to an
24 authorized facility, and we can provide that as evidence.

25 --o0o--

1 SUPERVISOR TURNER: So as we have looked at the
2 three options that are before you, we've tried to assure
3 that we can -- when we're putting an enforcement case
4 together, we can answer these basic questions of, what
5 happened? Where did it happen? Who was involved? And
6 when the violations occurred. Kind of a way to tell the
7 story before the judge. And so those are all important
8 aspects of any kind of system that we put in place.

9 --oOo--

10 SUPERVISOR TURNER: And I'd like to know if you
11 guys have any questions up until this point.

12 COMMITTEE MEMBER WASHINGTON: Thank you, Madam
13 Chair.

14 On the chart that talks about -- I was looking at
15 the goals and objectives of this program, and it's to
16 reduce the illegal and -- let me make sure I get it
17 correct. To reduce illegal storage and disposal of tires,
18 minimize the effects to public health and the environment.
19 And I was looking at the chart that came up next under the
20 Tire Management Program, and I noticed under research
21 there's a nice chunk in there. How much do we spend on
22 research? Anybody have any idea?

23 ASSISTANT DIRECTOR PACKARD: I could tell you in
24 just a minute, if I have the other charts with me. That
25 should have been on there. I think it just got dropped

1 off by mistake. Research portion is 1.6 million, which is
2 5 percent of the total.

3 COMMITTEE MEMBER WASHINGTON: And where I'm
4 going, Mr. Lee, with this is that it seems to me being
5 that we've been doing this now since '96, roughly around
6 that area, we're talking what? Eight years now -- seven,
7 eight years. And what are we researching now that we've
8 pretty much got this down? What do we need to spend 1.5
9 million on in terms of research? And I'm just trying to
10 understand what we need to research for. Because it seems
11 to me that the staff has it down. I saw her final
12 comments on when, who, where, and why. What would the
13 research do for us?

14 DEPUTY DIRECTOR LEE: Well, again, Board Member
15 Washington, we just put that slide in there to show you
16 how the money in the whole Tire Program is being spent so
17 you can see the relative proportions.

18 Specifically, we aren't doing any research on the
19 Manifest Program. The research that has been conducted in
20 the past is basically to examine new and innovative ways
21 for using tires. But there's not a manifest component.
22 And I think, again, we're going to be talking as we go
23 through this next Five-Year Plan revision about doing more
24 to migrate from the research to the market development
25 area.

1 COMMITTEE MEMBER WASHINGTON: Okay. And thank
2 you. That's pretty much where I was going with this. It
3 seems like at some point we need to start phasing out
4 research and perhaps put this in marketing, enforcement,
5 or somewhere. That's a nice chunk of money that needs to
6 go towards something else other than continue to just let
7 it sit around and research it.

8 DEPUTY DIRECTOR LEE: I understand, sir. We'll
9 be talking more about that as we present the next draft of
10 the Five-Year Plan revision back in January.

11 COMMITTEE MEMBER WASHINGTON: Thank you.

12 COMMITTEE MEMBER MOULTON-PATTERSON: Thank you.

13 My question is, just generally, with the Manifest
14 System, are we catching the people that are illegally
15 dumping?

16 CHAIRPERSON PEACE: How many illegal dumpers have
17 we caught with this system? And when we find an illegal
18 tire pile somewhere in an canyon or alley, can this system
19 tell us who dumped those tires?

20 SUPERVISOR TURNER: Let me attempt to answer
21 that, and I think Keith can answer it probably better than
22 I can.

23 But, in general, the Manifest System is going to
24 be able to give us data about people we know about and
25 that are operating in the system. So we're going to be

1 able to tell -- the biggest indicator and the most
2 important thing is we're going to be able to go to a
3 generator that isn't hauling with a registered hauler,
4 which is the biggest risk, right, for those -- if they're
5 contracting with an unregistered hauler, it's very likely
6 they could end up being illegally dumped. And it's also
7 the biggest indicator of unfair playing field. The
8 manifest is very important in that particular aspect at
9 the generator level.

10 So you won't get at the illegal dumping directly.
11 It won't identify an illegal dump. But it will discourage
12 and it will act as an enforcement tool on the front end to
13 encourage generators to use registered haulers that will
14 be taking those tires to an authorized facility, because
15 they're bonded and they have a lot of incentive to do
16 that.

17 And I think that's one reason why I wanted to
18 explain the tools of the program. They work in concert
19 with each other. So as the Manifest System helps us do it
20 from the beginning, at the generator point of view, it
21 helps us get control over it. We won't be able to clean
22 up an illegal dump unless we know about it. That's why we
23 use the CHP aerial photographs and surveillance and that
24 kind of thing. It's kind of getting at that issue from
25 two different ways.

1 DEPUTY DIRECTOR LEE: Ms. Moulton-Patterson, I'd
2 like to --

3 CHAIRPERSON PEACE: You just said this Manifest
4 System doesn't really help you identify tire piles that
5 might be found in a canyon or something --

6 SUPERVISOR TURNER: Not directly.

7 CHAIRPERSON PEACE: -- so why would we need to
8 identify every single load in a Manifest System?

9 DEPUTY DIRECTOR LEE: Ms. Peace, perhaps I can
10 put a little finer point on that. Unfortunately, there's
11 no system that we can devise that's going to specifically
12 target out the illegal haulers. We can't get them to wear
13 black hats out in the field so we can tell the good guys
14 from the bad guys.

15 I think we have to recognize that any time tires
16 are moved around, there's the potential they could be
17 handled inappropriately. And by having a Manifest System
18 where you basically have all the players in the system,
19 generators, haulers, and end users, involved and active
20 with responsibilities, that that's the best way for
21 ensuring the tires aren't illegally disposed of.

22 Indeed, that's the main purpose that I think that
23 most of the Board's initiatives are based on source
24 reduction, you know, getting at the pollution, but before
25 it starts. You know, we don't want to have to have a

1 system where we're relying on catching the tires after
2 they're disposed. We're trying to create a system where
3 we prevent their illegal disposal in the first place. We
4 believe that's consistent with the approach this Board has
5 taken on any manner of areas for dealing with not only
6 tires but all sorts of solid waste programs.

7 SUPERVISOR TURNER: I would like to just indicate
8 that I'm not sure we need to do it by a load. I think
9 we've looked at that and all the options, and I think
10 we're able to get, you know, the information we need at
11 different levels through each of these options. And
12 that's something that, you know, really the Committee
13 needs to, you know, have all the information in front of
14 them and then look at how they want to address that issue.
15 How much information do we need?

16 COMMITTEE MEMBER WASHINGTON: You know what
17 scares me, Madam Chair and Ms. Patterson? I think the
18 manifest addresses the individuals who aren't the ones we
19 got to look for. I think it's the exactly the people
20 you're talking about, the ones who are not participating
21 in the manifest. And I think that's where I would like to
22 get some ideas as to where we go to get those folks who
23 won't adhere to what we're saying and to fill out the
24 manifest and to participate in the manifest.

25 Again, I think I've said it a thousand and one

1 times, and I won't say it again. But I could take you
2 down in Southern California and there's a corridor -- the
3 Alameda corridor where I know those folks aren't filling
4 out. And they have loaded trucks, and you see them
5 driving down Alameda with these loads of trucks on there.
6 And you look the next day and they're empty and you have
7 no clue as to what they did with those tires.

8 So I have a question for you. How well do we
9 monitor the generators?

10 SUPERVISOR TURNER: Our grantee program is really
11 focused on the generators because of that very reason,
12 because especially the small generators either tend to not
13 know about the law or they're more motivated because of
14 monetary reasons not to haul with a registered hauler.

15 And also another reason why the grantees are very
16 valuable to us is because they're able to do some
17 surveillance work, like you were saying, in some local
18 areas to follow up on that kind of thing and also work
19 with our local police department to, you know, work on the
20 illegal dumping issue.

21 ASSISTANT DIRECTOR PACKARD: I think what
22 Georgianne and all of us are trying to say is that the
23 Manifest System is not a stand-alone answer to the tire
24 management problem in the state of California. There are
25 different aspects. We do different things. And we hope

1 all those things approach it from a different way so that
2 the whole become more effective. Again, aerial
3 surveillance, investigation of complaints, using the
4 manifest to identify unregistered haulers, generators
5 using unregistered haulers so we can go after them because
6 they're the ones that are most likely to dump the tires
7 illegally instead of taking them to a proper end use.
8 It's several different aspects together.

9 COMMITTEE MEMBER WASHINGTON: Rubia, do the
10 generators register with us?

11 ASSISTANT DIRECTOR PACKARD: Yes. They have an
12 identifying number as well.

13 Are there any other questions on this section?

14 Okay. We'd like to go on then to a discussion of
15 the options. As we've mentioned a couple of times,
16 objectives of the Waste Tire Manifest System. We tried to
17 keep these -- the objectives of the Waste Tire Manifest
18 System specifically pursuant to SB 876 is to provide an
19 accurate accounting that tracks tires from point of
20 generation to disposal and closes the loop on
21 accountability by including each party in the system, the
22 generator, the hauler, and the end user. Again, we have
23 kept these objectives in mind as we have examined the
24 current system and evaluate the options being presented
25 today.

1 At this point, I'll turn it over to Keith
2 Cambridge of the Tire Program. He's going to go through
3 each option and describe them. And then once that is
4 done, Doug will be going over the electronic data
5 submittal aspect of all of the options. And then we'll
6 conclude with some discussion of the comparison of the
7 options and some of the pros and cons.

8 So Keith.

9 MR. CAMBRIDGE: Good morning, Madam Chair,
10 members of the Committee. My name is Keith Cambridge,
11 Waste Tire Hauler and Manifest Program.

12 Today, I'd like to discuss the three manifesting
13 options that the Board staff have developed. The current
14 Manifest System which we have comprises the manifest and a
15 tire trip log and also the expanded electronic data
16 transfer, which we call EDT, and the database entry and
17 hardware software package. Also, we'd like to show the
18 proposed comprehensive trip log, as well as the proposed
19 monthly summary report.

20 --o0o--

21 MR. CAMBRIDGE: Option 1 of the current Waste
22 Tire Hauler Manifest System. This option provides the
23 ability to capture information from each one of the
24 reporting parties and close the loop on accountability.
25 In other words, each of the parties are required to submit

1 information pertaining to the specific loads so that one
2 record, if it was not submitted, staff can still account
3 for the tire transaction. It also allows for staff to
4 determine at the trip level, the amount of tires picked
5 up, transported, and delivered to an end-use facility.

6 --o0o--

7 MR. CAMBRIDGE: And, lastly, it provides a
8 detailed transaction record of each load of tires picked
9 up or delivered, including the vehicle, the amount of
10 tires, and where the tires originated from or were
11 delivered to, which can be a crucial piece of evidence for
12 enforcement cases.

13 --o0o--

14 CHAIRPERSON PEACE: If we ever got all the
15 manifests opened.

16 MR. CAMBRIDGE: True.

17 The current Manifest System is comprised of two
18 forms, like I previously mentioned, the Waste Tire
19 Manifest form and the hauler trip log, which I believe has
20 been provided to you to review. The manifest form is a
21 three-page document. And the waste tire trip log is a
22 two-page document.

23 For every tire transaction, whether it was a pick
24 up or delivery, a separate manifest form is completed by
25 the hauler or generator or end-use facility. The hauler

1 completes part one, and the generator or end-use facility
2 completes part two with the information required.

3 At the end of the transaction, the hauler will
4 retain a copy of the manifest form for their records. The
5 generator or end-use facility will keep a copy for their
6 records. And then, lastly, the top copy, or the original
7 page, is submitted to the Board through a pre-paid postage
8 mailer and sent to us, where at that point in time we do
9 open them up and process them.

10 CHAIRPERSON PEACE: How many do we still have
11 right now that are unopened?

12 MR. CAMBRIDGE: Actually, we've caught up to the
13 unopened ones. But we still have approximately 30,000
14 that we still need to go through. We had recently
15 obtained three key data operators, which is assisting us
16 tremendously. And we're actually able to capture into
17 that database and start entering that information.

18 For every tire transaction or manifest completed,
19 the hauler will enter the information on the trip log, the
20 manifest form number, whether it was a pick up or
21 delivery, and the load type and amount.

22 At the end of the trip, the hauler will retain a
23 copy of the trip log for their records and also submit a
24 copy of the original copy to the Board for, again, data
25 processing. Therefore, at the completion of the trip, the

1 Board should receive copies of the specific loads from all
2 three parties: The generator, the hauler, the end-use
3 facility. Basically a cradle to grave approach.

4 Currently, the Board receives about 5,000 forms
5 per week. And at that point in time staff is required to
6 open up each individual document, then scan the form,
7 identify the form, and verify the information.

8 Since the inception of the current Waste Tire
9 Manifest Program in July 2003, the Board has also received
10 manifest information via EDT, or electronic data transfer,
11 from two large waste haulers without complication. Staff
12 has developed a web-based data entry for smaller haulers
13 so they can also avail themselves to this transmission
14 format. I believe that's in the development stage ready
15 to be implemented.

16 In addition, the IMB section is developing
17 software capability for haulers to also input a lot of the
18 information onto the manifest form or trip log form for
19 easier use for the haulers. Doug Ralston of IMB will be
20 covering that part of the presentation following my
21 presentation.

22 Next slide.

23 --o0o--

24 MR. CAMBRIDGE: Option 2, which is the
25 comprehensive trip log. This is a form that requires the

1 hauler to report all tire transactions to the Board on
2 behalf of the generators and end use facilities. Again,
3 the current system we require copies from everybody to
4 come back to us. This one would be placing the
5 responsibility onto the haulers to submit that record to
6 us.

7 It still requires that the generator and end-use
8 facility still retain a written copy for three years as
9 required by the manifesting regulations and provides
10 detailed information at the load level, which includes the
11 date, tire amount, and vehicle information for enforcement
12 cases. It reduces responsibility of the reporting
13 entities from 11,000 down to 800 and significantly makes
14 things easier for educational and enforcement aspects.

15 --o0o--

16 MR. CAMBRIDGE: The comprehensive trip log, which
17 I also believe you have a draft prototype that we were
18 able to develop, still in the draft stage, has been
19 developed by Board staff to accommodate the concerns of
20 all three parties that the current Manifest System is too
21 complicated and time consuming. The comprehensive trip
22 log, or CTL, captures the information that the current
23 Manifest System form captures, however, places
24 responsibility on the hauler to submit the required
25 manifest information to the Board on behalf of the

1 generator and end-use facility.

2 The CTL was developed as a paper form to the
3 current EDT process. Basically, it's the same process
4 that we currently use with EDT, however, it's on paper
5 form. The CTL is one form which is three pages and can be
6 used for three different transactions. The hauler
7 completes the top portion of the form which is the number
8 assigned to that vehicle. The remainder part of the form
9 is then divided into three tear-off receipts. Each of
10 those receipts has the same number as the manifest number
11 followed by either the letter A, B, or C.

12 The information still contains the information
13 that the Manifest System has, such as the hauler's name,
14 the TPID, whether it was a pick up or delivery, load type
15 and amount, and the generator facility information, such
16 as the address, name, and TPID of that site as well.

17 In addition, once the hauler has completed the
18 receipt, the operator of the facility will review the
19 information to ensure its accuracy. And once the operator
20 decides whether it's accurate or not, they initial the
21 right corner of the form. That receipt is then torn off
22 by the hauler, given to the operator to retain for the
23 duration of three years as well.

24 After the CTL has been completed or after 14 days
25 after the initial use -- so we have some sort of a time

1 line. They're not going to keep it forever. The hauler
2 then submits that CTL form to the Board for processing.
3 The hauler retains a third copy of the form, and then the
4 Board can then reconcile that information as well into the
5 data system.

6 Although the generator of the end-use facility
7 does not submit the information to the Board, they can
8 also retrieve their respective load information by using
9 the Board web accounts, which we can set up, or contacting
10 Board staff, and we can inform them whether or not a trip
11 or load was actually received by the Board. The EDT
12 web-based entry and hauler software will also be part of
13 this option as well.

14 Next slide.

15 --o0o--

16 MR. CAMBRIDGE: Option 3, which is the monthly
17 summary report, would require all responsible parties,
18 generators, haulers, and end users to submit a monthly
19 report of all tire transactions in a summary format for
20 each month. It would provide information that would
21 indicate the total amounts of tires received or removed
22 from a facility and would reduce the current volume of
23 paperwork also as well.

24 --o0o--

25 MR. CAMBRIDGE: Staff has attempted to develop --

1 actually, we've come up with a real, real rough idea as
2 far as this form goes. But we haven't had a chance to
3 come up with a good prototype of the monthly summary
4 report at this time. But we feel it would require all
5 parties, generators and haulers, end users to report on a
6 monthly basis in a summary report for all the transactions
7 with each related company for that month. So in other
8 words, if a generator deals with two or three haulers,
9 they would have to report in a summary fashion the total
10 tires submitted to each one of those haulers during that
11 month time period.

12 In many cases, a hauler may be a generator,
13 end-use facility as well. So in those particular cases,
14 they would have to be submitting three different forms in
15 this fashion. Again, EDT and the web-based data entry and
16 software would also be part of this option as well. Staff
17 really wants the Board to know that we are really pushing
18 for EDT and web-based to make things easier for the hauler
19 as well as staff opening up the processing. So that's our
20 ultimate goal, to get a paperless trail.

21 --o0o--

22 MR. CAMBRIDGE: Are there any questions at this
23 time?

24 CHAIRPERSON PEACE: One of the things, in Option
25 3, I'm still thinking instead of monthly that would be

1 quarterly. That's still in my mind, just because the
2 statute specifically says that the hauler, generator, end
3 user will report on a quarterly basis.

4 MR. CAMBRIDGE: Correct. We can move that to
5 quarterly.

6 If there are no further questions, I'll have Doug
7 Ralston from our Information Management Branch describe
8 the two electronic transfer submittal processes, which I
9 believe should be a part of the options chosen by the
10 Board.

11 --o0o--

12 INFORMATION MANAGEMENT BRANCH MANAGER RALSTON:

13 Good morning, Madam Chair, Board members. My name is Doug
14 Ralston. I'm a Manager in the Information Management
15 Branch.

16 I want to talk to you today and describe two
17 aspects of the electronic data transfer and how it affects
18 the Manifest System and collection of data under the
19 Manifest System.

20 While the initial implementation of the Waste
21 Tire Manifest System was based on paper, the law also
22 provides for electronic transfer submission of manifest
23 information to CIWMB. Early on in the development of the
24 Waste Tire Manifest System we did have an electronic
25 submission component. And while we initially thought that

1 would come later after the paper piece of that was
2 implemented, we were approached by industry to see if
3 there wasn't a way we could speed that up. When we looked
4 at the feasibility of that, we did, indeed, find a way
5 that we could have the larger haulers or a hauler with an
6 automated system in place submit to us information that
7 was required under the Waste Tire Manifest System that was
8 derived through their normal business practices of
9 accounting and/or invoices.

10 We initiated a pilot project with two of the
11 larger haulers, Lakin Tires in Southern California, and
12 Golden By-Products in Merced County. That has been going
13 on for approximately a year, year and three or four
14 months. It has been very, very successful.

15 Because they are one of the larger haulers, the
16 volume of records they have submitted represents
17 approximately 25 to 30 percent of the overall total of
18 records submitted to the database today. So there's a
19 real high potential for getting a lot information very
20 quickly.

21 Certainly, the benefits associated with the EDT
22 would be that they generate information that is reported
23 on behalf of the generator and the end user. As Keith
24 alluded to earlier, in this particular approach, the
25 hauler reports for both the generator and end user. The

1 generator and end user sign off on the invoices prepared
2 by the EDT hauler. And then the EDT hauler sends that
3 information to us.

4 One of the other aspects to the EDT is that they
5 continue to use their own forms. One of the problems
6 that's been associated with the paper manifest has been --

7 --o0o--

8 INFORMATION MANAGEMENT BRANCH MANAGER RALSTON:

9 One of the problems associated with the paper manifest or
10 complaints we've heard from haulers is it's difficult to
11 train staff or their drivers on use of the new form. What
12 the EDT provides is for the business to continue to use
13 its own form, provided that they capture all the
14 information we need with the Waste Tire Manifest System.
15 And in most cases, that's 90 percent of what they're
16 capturing already. How many tires? Who did you pick up
17 from? When did you pick up? Who was the driver, et
18 cetera? They need to do that for billing purposes.

19 CHAIRPERSON PEACE: On the two that we have, was
20 it Golden and Lakin that we have on there?

21 INFORMATION MANAGEMENT BRANCH MANAGER RALSTON:

22 Yes.

23 CHAIRPERSON PEACE: Can you tell me how much it
24 costs for them to get on the EDT system?

25 INFORMATION MANAGEMENT BRANCH MANAGER RALSTON: I

1 don't know that we have start-up costs for them.
2 Particularly, we have provided some technical assistance
3 to them in helping to shape their data entry databases and
4 in the telecommunication of that data.

5 Gary, do you have any comments on that?

6 INFORMATION MANAGEMENT BRANCH CHIEF

7 ARSTEIN-KERSLAKE: Good morning. I'm Gary

8 Arstein-Kerslake.

9 I would say that theoretically it's actually
10 fairly straightforward. If they've got a fairly modern
11 automated system for their accounting process. Because as
12 Doug pointed out, for their billing purposes and their
13 accounting and invoicing, they obviously need to know who
14 it is they're dropping the tires off to and when that
15 occurred and how much it was.

16 A little bit of a challenge, because this is
17 different from their normal process and they haven't had
18 to do this at this point, would be to simply pull that
19 information out and prepare it in a format for submittal
20 to us. So I don't think the cost for either one of those
21 parties was very significant.

22 I think it took some time in terms of the thought
23 process to get to that requirement. And there's varying
24 levels of sophistication on the part of the businesses out
25 there. Some may be very sophisticated in this sense.

1 Others may have a very nice product in place, but don't
2 have that sophistication to pull the information off.
3 Others may have systems that are not quite as well
4 developed for them. It's more of a challenge.

5 But I think for Golden By-Products and Lakin, I
6 think it was a very manageable task. For Lakin, I do
7 know, because I was involved in the interactions with
8 them. We had a lot of discussions with them. They
9 actually deferred their development on it probably until,
10 I'd say, the last four weeks before we were ready to go.
11 And they accomplished that quite quickly. And I think at
12 that point in time they didn't even have a full time IT
13 person to support their business.

14 INFORMATION BRANCH MANAGER RALSTON: Basically,
15 for them it was a matter of taking the existing
16 information they had, as Gary indicated, putting it into a
17 format we needed to accept the data in, and then
18 transmitting that data to us. I think it was three to
19 four weeks for Lakin to get that product out. It was more
20 of a report and a report format than it was creating new
21 data and new databases.

22 Just to go on the presentation --

23 CHAIRPERSON PEACE: I talked to a couple haulers
24 that have looked at the EDT system, and it's very, very
25 complicated. They've had the EDT book. They've said

1 they've given it to their computer people, and they don't
2 even understand it. And if they were to try to get on the
3 EDT -- I've had two different people tell me that the
4 computer people they would hire to try to integrate their
5 system with ours would be up towards of \$8,000.

6 And then we had, you know, at the Board meeting
7 here -- was it February or something -- when you asked for
8 \$250,000 more to get 20 haulers on the EDT system. So we
9 need \$250,000 to try to get the next 20 haulers on to this
10 system. That sounds, to me, like that's not an easy thing
11 to do.

12 INFORMATION BRANCH MANAGER RALSTON: To go back
13 to your previous comment regarding the nature of the EDT
14 system and it's being complicated, the two haulers we
15 dealt with, Lakin and Golden By-Products, did not see that
16 as an impediment. They basically had developed their
17 databases, knew the formats they had to use. And,
18 frankly, we built or wrote the EDT manual as it currently
19 exists for folks who had a background in database
20 development and had the resources to develop that kind of
21 a database. So they didn't see that as complicated.

22 CHAIRPERSON PEACE: How many of the 800 haulers
23 have the ability to develop a database so they can do
24 this?

25 INFORMATION BRANCH MANAGER RALSTON: Well, I'm

1 not sure about that. But one of the things we are
2 proposing here is a web-based EDT. That was going to be
3 my next presentation. The fact that it broadens the
4 access to EDT to anybody who wants to be able to get up on
5 the Internet and enter it through a data screen on our
6 website. And that's kind of the next step on that.

7 INFORMATION MANAGEMENT BRANCH CHIEF

8 ARSTEIN-KERSLAKE: If I could also mention this, too,
9 Board Member Peace. There is some validity to the
10 criticism that the manual that we put together could be
11 improved. I think if you were to look at it, in a sense,
12 the concepts are pretty straightforward. There's a lot of
13 information on an explanation in the back of it that may
14 look daunting.

15 And one of our desires -- actually, that is a
16 first version of that manual. So one of our desires is to
17 slim that down. And for the web-based EDT piece, we are
18 going to dramatically reduce that down. And probably for
19 that program, I would imagine it's going to be -- I would
20 estimate not more than four to five pages total. So there
21 is some validity to the criticism that when you first look
22 at it, it's pretty complex.

23 In our defense, I guess you might say that was
24 the first version of that with a lot of authors on it. I
25 think subsequently we can slim that down and make that

1 simpler.

2 INFORMATION BRANCH MANAGER RALSTON: Again, the
3 audience there was folks who had an in-the house automated
4 system they were currently supporting. So we have tried
5 to, in the web-based EDT, broaden the approach and the
6 accessibility of all the haulers to using EDT where only
7 the hauler reports. And they can do it via the web, as
8 you might use -- you've gotten on the web and made a
9 catalogue order on Amazon or L.L. Bean or one of those,
10 that's the approach we're taking with the web-based EDT.

11 One other aspect for the EDT, as we're showing it
12 in this particular form, is that it's sent to us in a
13 batch mode. What we mean by that is that monthly Lakin or
14 Golden By-Products will gather all the data for that
15 previous month's records or transactions and send that to
16 us as a data file. We take that data file in, verify it,
17 and then put it into our WTMS. So it's a one time --

18 CHAIRPERSON PEACE: Is that batch sort everything
19 by individual load?

20 INFORMATION BRANCH MANAGER RALSTON: Yes it does.
21 It has individual transactions. And, again, that's really
22 kind of based on their individual transactions for billing
23 and invoice and that kind of thing, because that's where
24 they do their business from.

25 I'll go on to the next one. It talks about

1 web-based EDT.

2 --o0o--

3 INFORMATION BRANCH MANAGER RALSTON: Well, I'm
4 going to go ahead, because the computer appears to be
5 stuck.

6 If you look on Page 33, I believe, of your
7 handouts, the web-based EDT, as I mentioned, is a broader
8 application of the hauler only reports. What this is, is
9 we have developed a website on our own external website,
10 ciwmb.ca.govtires that allows a tire hauler or tire
11 generator to enter information on specific transactions
12 that occurred for that particular day.

13 What this is is a screen that you could fill in,
14 once you're validated to the system -- in other words, not
15 just everybody can get in. But if they know I'm a hauling
16 service, I have my own TPID, the combination of my TPID
17 and my password will get me into the system. And then
18 once I've already identified myself to the system, it
19 knows who I am and it can actually bring up all of my
20 known clients, such that they don't have to go searching
21 for individual names and addresses of their generators,
22 hauler, or end users. Certainly, by doing this, we've
23 made it via the web accessible to as many people as want
24 to get on it.

25 Like the regular EDT, they can continue to use

1 their own invoices and their own forms, provided that they
2 capture all the information that we need. They're able to
3 come back at the end of the day, jump on the web, and
4 access our screen and their account, and then begin to
5 enter those particular transactions.

6 We've narrowed the amount of information down
7 just to that piece dealing with the load. What we found
8 is once you're into the system and can begin to enter the
9 transaction, it goes very quickly, about 30 to 45 seconds
10 per entry if you know the TPID of your customer. Or if
11 you don't, maybe up to a minute per entry. What we have
12 found is that many -- most of the smaller volume
13 haulers -- great. Thank you.

14 --o0o--

15 CHAIRPERSON PEACE: You're still having them
16 enter everything by load still?

17 INFORMATION BRANCH MANAGER RALSTON: Yes. For
18 individual transactions. That's correct.

19 CHAIRPERSON PEACE: I think we already determined
20 having it by load really isn't getting us the bad guys or
21 finding the tire piles.

22 INFORMATION BRANCH MANAGER RALSTON: Well, I
23 think as Georgianne pointed out, there is a benefit to
24 having the load and detail information for enforcement
25 activity, because you can begin to look at patterns and

1 different aspects of that particular tire business's
2 operation. In this particular case for the web-based EDT,
3 they are entering the load information that they've
4 completed for that particular day.

5 DEPUTY DIRECTOR LEE: But just a point of
6 clarification, Doug. The web-based or the EDT could be
7 used for any of the options, summary options as well. So
8 the web-based EDT are not exclusive to one option or
9 another. They are across all three platforms.

10 INFORMATION BRANCH MANAGER RALSTON: I think
11 that's a good point, Jim. We tend to look at the EDT as a
12 solution when, in fact, it's a means of reporting and the
13 approach on the reporting is where the efficiencies can be
14 gained.

15 INFORMATION MANAGEMENT BRANCH CHIEF
16 ARSTEIN-KERSLAKE: If I can mention this element, though,
17 that the web-based EDT is effectively ready for production
18 right now, as is the batch mode EDT piece for the system
19 on the transaction base.

20 And to reiterate what Doug said, actually, on
21 some of the tests we've done on it, it does take about 30
22 seconds per transaction. And one of the advantages of
23 that is that it is going to correspond to how the haulers
24 collect that information. So if they've got ten invoices
25 for the day, shall we say, then whether they actually sum

1 those ten invoices later or they just enter those in, it
2 takes about 30 seconds per transaction to do that.

3 When you're in the system, you get a drop down on
4 it, as Doug indicated. If you've got ten vehicles that
5 are registered in the system, you get the drop down. You
6 select the vehicle on that. Even if you don't know the
7 TPID, which can be a challenge for some folks, just enter
8 the first couple of digits, the first three or four digits
9 of the address, it pulls you up a list of any customers in
10 the entire database that match that.

11 You enter pickup or delivery, check, check, the
12 amount, the time of the amount, the date, and that's the
13 minimum amount and you can move on. It shows you a screen
14 with that information and you can go to the next one.
15 It's about a 30-second process on that.

16 --oOo--

17 INFORMATION BRANCH MANAGER RALSTON: Just some
18 distinctions between the paper and EDT reporting. Under
19 the paper, all parties report, except Option 2. We're
20 looking at a comprehensive trip log where the hauler
21 would.

22 Paper, you must use the CIWMB-approved forms.
23 Must send in paper forms for processing within 14 days or
24 monthly, or quarterly if it's the summary report.
25 Whereas, with an EDT, the hauler reports on behalf of the

1 generator and end user. They can use their own invoice as
2 approved by CIWMB, and they can either send that to us in
3 a batch mode, if that is convenient for them and they have
4 the capability to do that, or they can do it through daily
5 or weekly data entry into the web-based EDT portal that we
6 developed, which Gary indicated is ready to go.

7 Just one other thing regarding the web-based EDT.
8 When this proposal was vetted at the two public hearings
9 that we held in September and I think October, there was a
10 positive reaction and response to the web-based EDT by
11 many of the haulers who were there. And they saw that as
12 being a very viable alternative to the forms. And they're
13 eagerly waiting for us to get it out there.

14 So that concludes my remarks. Are there any
15 questions?

16 --o0o--

17

18 ASSISTANT DIRECTOR PACKARD: Could you go to the
19 next slide?

20 --o0o--

21 ASSISTANT DIRECTOR PACKARD: If there aren't
22 further questions regarding the electronic data submittal
23 processes, I would like to go through a comparison of the
24 options and several key areas and provide some of the pros
25 and cons of each option so that you can clearly see the

1 differences between them. We focused on the impacts in
2 the following key areas.

3 --o0o--

4 ASSISTANT DIRECTOR PACKARD: Who is required to
5 report. How many paper forms we estimate will be
6 received. What information is captured and its potential
7 for enforcement. The level of automated systems
8 development and support required. And implementation
9 tasks for the Board under each option.

10 If you'll take a look at the first chart, this
11 chart shows you the regulated community required to report
12 by option. As you can see of our regulated community
13 numbering 10- to 12,000 generators, 800 registered
14 haulers, and 200 end-use facility operators, under Option
15 1, which is the existing paper-based system, each of those
16 entities is required to report and submit manifests and
17 trip logs -- manifests, and the hauler also submits a trip
18 log in addition to the manifest.

19 Under Option 2, the hauler reports for the other
20 two entities.

21 And under Option 3, each of the entities would be
22 required to submit the monthly summary report.

23 Again, as you can see from the chart, the major
24 difference between Options 1 and 3 and Option 2 is that in
25 Option 2 only the hauler reports directly to the Board.

1 The hauler submits the required information to the Board
2 either via electronic data entry or via the new
3 comprehensive trip log form. This allows staff education
4 and enforcement efforts to focus on one group of
5 approximately 800 haulers versus all parties in Option 1,
6 paper based, and Option 3 totaling 11,000 to 13,000
7 parties.

8 Even though the generator and end-use facility
9 delegate authority to the hauler to submit the record to
10 the Board, they would still be part of the system under
11 Option 2 and under EDT wherever we use it by signing off
12 on the invoice or the comprehensive trip log or whatever
13 form we're using and maintaining copies for three years on
14 site for enforcement follow-up. Again, the hauler can use
15 their own invoice with electronic data entry in Options 1
16 and 2 to submit the required information, which simplifies
17 reporting and should decrease completion errors and
18 increase data quality.

19 We will be able to do that in Option 3 as well
20 with electronic data entry.

21 CHAIRPERSON PEACE: I'm still concerned with
22 Option 2 because the statute, to me, still does say the
23 generator, registered hauler, end-use facility operators
24 are all required to report. You're saying that in Option
25 2 that that's going to be delegated. The generator and

1 end-use facility are going to delegate that responsibility
2 to the hauler. I don't know if that's the intent of the
3 statute. But if you can do that in 2, why couldn't you do
4 that in 3?

5 ASSISTANT DIRECTOR PACKARD: In Option 3, you
6 want the hauler to do the monthly report for the generator
7 and the monthly report for the --

8 CHAIRPERSON PEACE: No. I'm not saying I do.
9 I'm saying if you're saying they can delegate that
10 authority in 2, why couldn't they do it in 3? I'm kind of
11 under the impression they should all be doing it.

12 ASSISTANT DIRECTOR PACKARD: They could certainly
13 delegate it under Option 3, Madam Chair. But that is not
14 the way the option was described to us. We simply
15 attempted to structure it the way that we were -- with the
16 ideas that we were given. That was not how it was
17 proposed to us. But you certainly could have the
18 hauler -- it might get a little more complicated in
19 obtaining summary information.

20 CHAIRPERSON PEACE: I think it was proposed that
21 way because the statute does say the generator, hauler,
22 end user will all be reporting, you know, to the Board.

23 ASSISTANT DIRECTOR PACKARD: Marie, do you want
24 to --

25 CHAIRPERSON PEACE: But if Legal says it can be

1 interpreted that they can -- that the hauler can do it on
2 behalf of the generator, then surely they can do it in
3 Option 3 as well as they could do it in Option 2.

4 CHIEF COUNSEL CARTER: That's correct. It would
5 be dependent upon whether the generator and end user were
6 willing to delegate that authority. And, certainly, if
7 they were willing to do it for Option 3, we would accept
8 that report from the hauler on their behalf.

9 ASSISTANT DIRECTOR PACKARD: We could certainly
10 modify the proposal or the option to include that.
11 However, it could create a different set of problems in
12 that one of the things that may happen here is that the
13 generator may be using more than one hauler. And the
14 hauler is taking tires to different places, and the
15 end-use facility is accepting tires from different
16 haulers. So it makes it a little more complicated in this
17 case because of the type of information that you're asking
18 for without individual transaction information for the
19 hauler to compile a report that summarizes all the
20 generators --

21 CHAIRPERSON PEACE: You're getting individual
22 transaction information, because you have your invoice.
23 You're still going to have your invoice, which is your
24 individual transaction.

25 ASSISTANT DIRECTOR PACKARD: But a hauler

1 wouldn't have a copy of another hauler's invoice. So it
2 just makes it a little more complicated, is all I'm
3 saying, because each person won't have -- excuse me, the
4 hauler won't have potentially all of the information on a
5 generator's tire activity or an end-use facility's tire
6 activity. They may not have all that information because
7 there may be other haulers involved. That's all I'm
8 saying.

9 It could be more complicated to get that
10 information and which hauler would be required to report
11 then on behalf of the generators and end users. All I'm
12 saying is it requires a little more thought to figure out
13 how to apply that aspect to Option 3. To have the hauler
14 report monthly for everybody requires a little more
15 thought, figuring out how to work through those potential
16 issues. That's all I'm saying.

17 I think I got lost in my presentation here.

18 Again, as we indicated, the hauler can -- Option
19 3 would greatly simplify reporting for each party in the
20 sense reporting would be based solely on their own
21 invoices and would require submittal of only one summary
22 form per month.

23 Options 1 through EDT and Option 2 placed more
24 responsibility on the hauler to submit accurate and
25 complete information on behalf of the generator and end

1 user so the hauler would be accountable for those
2 submittals. That's Option 1 with EDT and Option 2.

3 We may not realize the full benefits of EDT,
4 since EDT is not mandatory and haulers may be unable or
5 unwilling to use EDT and will instead continue to submit
6 paper forms.

7 With Option 3, a number of haulers act as
8 generators and end users so these haulers would be
9 required to submit three reports which could increase the
10 number of forms submitted.

11 Next slide.

12 --o0o--

13 ASSISTANT DIRECTOR PACKARD: This slide shows you
14 our estimate of the number of forms to be submitted
15 annually under each option. As you can see, currently, we
16 are receiving -- or have received 300,000 paper forms
17 under Option 1. What doesn't show here is that we have
18 also received about 132,000 records from four transactions
19 from the two major haulers that we've been talking about a
20 little bit through the EDT process. This represents
21 transactions for approximately 1300 businesses. So those
22 two haulers have handled the business for -- the reporting
23 for 1300 businesses and have submitted 132 records on
24 their behalf. This demonstrates the potential of EDT to
25 reduce the paperwork burden on all parties regardless of

1 the option selected.

2 Under Option 2, we have a reduction in paper
3 forms of approximately 75,000, as only the hauler submits
4 forms as compared with two forms in all parties reporting
5 in Option 1.

6 Under Option 3, we estimate a reduction of about
7 40 to 45 percent, because although only one report is
8 required per month, we add back in the generators and end
9 users, which brings the total group reporting back up to
10 11- to 13,000, so the total forms are a little bit higher.

11 All options would significantly reduce staff time
12 and cost for processing forms, mailing out forms, and
13 paying for postage. And, again, that reduction in Option
14 1 coming only if we continue to increase the number
15 participating in EDT.

16 Next slide.

17 CHAIRPERSON PEACE: In Option 3, if we decided to
18 do quarterly, that number would be reduced quite a bit
19 more?

20 ASSISTANT DIRECTOR PACKARD: Yes, it would.

21 --o0o--

22 ASSISTANT DIRECTOR PACKARD: On this slide we
23 want to talk a little bit about the information captured.
24 It's really kind of a summary slide of some of the things
25 that Georgianne went through and the potential use for

1 enforcement.

2 As you can see, for enforcement purposes, Option
3 1 captures the most detailed information. This
4 information includes pick-up and delivery transactions and
5 dates, quantities of tires exchanged, truck and decal
6 information, specific information on the generator,
7 hauler, and end user that ties the TPID of each to
8 specific pick-ups and deliveries, and it also provides
9 driver information.

10 For enforcement purposes, when more specific
11 information is contained in the Board database here in
12 Sacramento, it can be used to generate reports that can be
13 used to target enforcement efforts. This helps minimize
14 staff time in the field going through receipts and
15 invoices to establish the details of tire transactions and
16 determine what actually happened.

17 For Option 2, we lose the trip information, the
18 trip level information, which staff, frankly, believes
19 they can live with, and they will still have pick-up and
20 delivery transactions and dates as well as all identifying
21 information on all three parties as indicated above for
22 Option 1.

23 With Option 3, we lose the trip and individual
24 transaction information, but summary reports that show for
25 each generator, hauler, and end user the total number of

1 tires handled by the generator, hauler, and end user,
2 along with identifying information, like name and TPID.
3 This information can be used to get a general indication
4 of where the numbers don't come close to matching or where
5 one party is missing from the reporting on another party's
6 report -- or one party hasn't reported, but they show up
7 on somebody else's report. So just that kind of
8 discrepancy can be used to determine where to begin an
9 investigation in the field.

10 Option 1, of course, provides the most
11 information, which is not a problem with EDT, but is a
12 problem with the paper forms and the paper volume as we
13 discussed before.

14 CHAIRPERSON PEACE: I just want to state for the
15 record for the enforcement people I've talked to at the
16 local level and some of our own enforcement people, they
17 have not used the Manifest System. They don't use the
18 Manifest System to try to catch any illegal haulers. They
19 have not used that. The only report that they get is a
20 stack of reports from us saying go look at this hauler
21 because he forgot to fill in this box. And go look at
22 this hauler because he forgot to sign his name here. And
23 go look at this hauler because he looped his zeroes.
24 That, to me, is not good use of our enforcement time. I
25 just want to state that for the record.

1 ASSISTANT DIRECTOR PACKARD: Again, as I
2 mentioned, the hauler is responsible and accountable for
3 all required information under Option 1 with EDT and under
4 Option 2. Each party reports for themselves under Option
5 3 as it's currently written.

6 With Option 3, because all parties are reporting
7 and providing only summary information over a month's
8 period, the Board's enforcement efforts will become more
9 staff intensive, in order to investigate any potential
10 problems. Staff will have to conduct site visits to
11 examine the records and underlying paperwork at each site
12 in order to cross check them and determine where the
13 problem actually is. The reports generated out of the
14 current system does that here so that staff efforts can be
15 a little more focused in the field.

16 Next slide.

17 --o0o--

18 ASSISTANT DIRECTOR PACKARD: On this slide we
19 tried to capture for you briefly the automated system
20 development and support needs that we will have under each
21 option. As you know, because that's why we're here, the
22 existing Waste Tire Manifest System is currently in
23 production, meaning it's already developed and we are
24 inputting data into it, including batch EDT, and the
25 web-based EDT capability has already been developed.

1 Under Option 2, the comprehensive trip log will
2 be based upon the existing Tire Manifest System. The core
3 data is already there and will require minor modifications
4 only. So staff believes this can be put into production
5 quickly.

6 With Option 3, we don't have the foundation for
7 this system in place. And, therefore, Option 3 would
8 require a new system development. And if you have any
9 questions about this slide, I'm going to defer to Gary and
10 Doug. If there's no questions, we'll go on to the last
11 slide.

12 --o0o--

13 ASSISTANT DIRECTOR PACKARD: This is an attempt
14 to just briefly capture some of the implementation impacts
15 of each option.

16 Under the current system, the system is developed
17 and implemented, so the tasks are more ongoing tasks that
18 include any remaining EDT issues or obtaining more
19 participants for the EDT process and then training efforts
20 and enforcement actions based upon the system. So those
21 would be ongoing tasks.

22 Under Option 2, the comprehensive trip log, we'll
23 be modifying the current system to some extent, developing
24 one new form. We would need to train the hauler community
25 on the use of the form. There would be minimal

1 development of our internal business processes to handle
2 this different type of reporting. We would, again, have
3 enforcement activity. And under this option, a regulatory
4 package would be required. We would have to revise the
5 existing regulations.

6 Under Option 3, we would have the development of
7 an automated system to support this type of reporting. We
8 would have to develop some new internal Board business
9 processes and new forms for each of the reports. The
10 training would consist of training 11,000 plus in the
11 regulated community on the new forms and the new system,
12 enforcement activities, of course. And this option would
13 also require some regulatory changes. So we'd have to do
14 regulations with this option as well.

15 CHAIRPERSON PEACE: With that, it is 11:00, and
16 we're going to take a quick break for the court reporter.

17 ASSISTANT DIRECTOR PACKARD: That was the end of
18 the presentation also.

19 CHAIRPERSON PEACE: We'll come back and have
20 discussions and comments at ten after 11:00.

21 (Thereupon a recess was taken.)

22 CHAIRPERSON PEACE: Let's go ahead and get
23 started.

24 ASSISTANT DIRECTOR PACKARD: Madam Chair, if we
25 could just add one piece of information for you that I

1 think is really important. If we could go back to the
2 chart four, which is the one that's up on the screen right
3 now, Doug and Gary are going to provide a little
4 information in terms of the effort actually required in
5 terms of database development and automation system
6 support in the options and an estimate of -- real general
7 estimate of costs so the Board can see the difference.
8 Thank you.

9 INFORMATION MANAGEMENT BRANCH CHIEF

10 ARSTEIN-KERSLAKE: Hello, again. Gary Arstein-Kerslake.

11 I did want to mention that with Option 2, one of
12 the aspects of it is in terms of implementing this within
13 the context of or transition from the current system, that
14 transition would be very smooth. It could run actually
15 concurrent to the current system. It would not be any
16 dramatic cut over from the perspective of the involved
17 community. Folks could continue -- actually, if they had
18 50 of the prior manifest forms, they could be submitting
19 those at the same time that other of community were
20 submitting the CTL, the comprehensive trip log form.

21 One of the other aspects with this is that it's
22 consistent with -- in terms of the current design of the
23 system, there's some minor modifications, but can be
24 accommodated actually fairly easily.

25 On the Option 3 piece, because it is a

1 different -- rather than being based on individual
2 transactions, it's based on a summary of transactions and
3 is a different form. That would require effectively what
4 we call a slash cut over in the sense that we stop doing
5 things one way. We shift over and do them the other way.

6 With regard to the automated system development,
7 we looked at the number of pieces that comprise the
8 database system, the database part. And then the other
9 portion of it are the pieces that comprise the programs by
10 which you put information into the database and update it
11 and generate reports, et cetera, et cetera, about that.
12 And I think you could say about a third of the database
13 elements would need to be significantly changed under
14 Option 3, and about half of the programs would need to be
15 significantly changed under Option 3.

16 And to give a feeling for what that means in a
17 way, sort of an analogy that might be appropriate, if the
18 database consists of sort of a -- from the analogy of
19 constructing a house, developing the database piece is
20 kind of the design of it and the framework on it. The
21 programs are the rest of the construction, all the
22 fixtures, et cetera, et cetera, that go inside that.

23 And as you can imagine, once something is built,
24 a significant remodel inside there takes some additional
25 effort, because you've got to knock things down and

1 sometimes rip out work that you've done significantly in
2 another area because you're knocking out a wall, you might
3 say. So that would account for -- there is the cost
4 difference between Option 2 and 3 is pretty significant
5 with regard to the effort required to implement Option 3.

6 Option 2 could be implemented very quickly and
7 for relatively low cost. And, actually, I would be
8 inclined to think relative to the cost savings --
9 administrative cost savings for CIWMB and actually from
10 the timesaving on the part of the regulated community, it
11 would probably be net gain on Option 2.

12 Do you want to add anything?

13 CHAIRPERSON PEACE: Are there any other
14 comments?

15 I guess we'll go to our speakers.

16 Terry Leveille.

17 MR. LEVEILLE: Madam Chair and members of the
18 Committee, Terry Leveille from TL and Associates, not
19 representing anyone. But I just want to make just a real
20 quick comment. And that was that we did receive the
21 options on the website. I believe it was Friday. And I
22 know that a number of tire dealers and generators and end
23 users are at trade shows this week and have really not had
24 a chance to take a look at this. And I'd urge you to
25 give it a month or so. Maybe hold a workshop or two to

1 take in stakeholder input and not push this right away.

2 Obviously, there's many, many things. It's a
3 very complicated system, obviously. And it's going to
4 effect people significantly. No rush to judgment like
5 could happen if you try to move this thing too quickly.
6 Thank you.

7 CHAIRPERSON PEACE: Thank you.

8 Next speaker, Mark Hope.

9 MR. HOPE: Madam Chair, Board members, my name is
10 Mark Hope with Waste Recovery West. I'm one of those
11 stakeholders that happened to be here today to listen to
12 the presentation. And I would like to commend both the
13 Board as well as the staff to arm wrestle with this issue.

14 And, mainly, I really want to echo Terry
15 Leveille's comments. We, ourselves, just were able to
16 download and take a look at this information. We're one
17 of those companies that had stepped up to the plate and
18 looked very quickly at perhaps going into EDT and now have
19 stepped back to look at what types of modifications and a
20 fresh look at this whole system is and what it may come up
21 with.

22 Quite frankly, I really like Option 3. I must
23 say that I look at this from purely a business standpoint,
24 although I do have regulatory roots in that I used to work
25 for a regulatory agency. But I also look at what my

1 current accounting system does, what it can accomplish,
2 and what it can provide to the state to accomplish their
3 goals and objectives as well without having to go spend a
4 lot of money, as well as hopefully without the state
5 having to spend a lot of money. Because at the end of the
6 day, you know, we're bottom lining this.

7 It's about the cost. The cost versus benefit.

8 And I really think this Option 3 is a fresh look at what
9 types of things -- and I know even in my own line what our
10 current accounting system can generate in excel format per
11 the criteria that the state would want and can easily
12 generate these types of reports monthly, quarterly, or
13 whatever.

14 And I would hope and offer to the staff at some
15 point to sit down. And I don't know that they've ever
16 done this. Look at accounting software versus the
17 database software, and they are two different things. But
18 can the accounting software ultimately, which can convert
19 to Excel and spreadsheet format, generate information they
20 can then utilize, manipulate, ultimately sort, and then
21 bring into databases for their information?

22 All the comments about are we really
23 accomplishing enforcement I think are great, because,
24 again, we see more and more burden put on us to keep us
25 honest folks honest and spending a lot of money. And I'm

1 not sure you're getting to the point that you have 200
2 tires over here that were dumped last night, and where did
3 they really come from? Clearly, anyone can come to us any
4 day and say that generator over there, what have you done
5 in the last six months? We can print a list immediately
6 showing every moment we collected and how many tires we
7 collected at any moment. That's even aside from this
8 Manifest System.

9 But I think my basic comment today as we're
10 looking at this is to take the time and hopefully network
11 and communicate with the stakeholders and really look into
12 our systems and peel back some things to see what really
13 can be easily modified that's existing to accomplish some
14 of this reporting.

15 I might also suggest -- I know they said they
16 could easily move to Number 2. But because there are some
17 very small haulers that may only haul once or twice a
18 quarter or once or twice a month, maybe, again, Option 2
19 and Option 3. You know, some people who don't even want
20 to do the quarterly reporting like us that have, you know,
21 basically tens of thousands of units that we move in that
22 time frame versus somebody that's only moving 2- or 300.
23 And maybe all they want to do is fill out easily one of
24 those Option 2 forms, that satisfies everything they need
25 versus somebody like us who would like to then in a very

1 quick thing, spreadsheet, download, and send it off to the
2 state kind of thing on a quarterly basis.

3 Anyway, I just would like to stress that we do
4 take our time and hopefully can sort some of those things
5 out. Thank you.

6 CHAIRPERSON PEACE: Thank you.

7 Are there any other comments?

8 COMMITTEE MEMBER WASHINGTON: Madam Chair, let me
9 say to the staff that I want to thank them, too, for
10 putting the type of work you put into this. Certainly,
11 it's taken a lot of your time. And, you know, I'm sure
12 it's exhausting. You really have provided an opportunity
13 for us to really try to get to some bottom lines as to how
14 we make this Manifest System really work. That's what
15 this is all about.

16 And I think the speaker that made a great point
17 in terms of having the stakeholders put some real input
18 into this. And I know, Madam Chair, you're going to offer
19 us an opportunity to do that, to get more input from the
20 stakeholders. And, again, I just want to say to staff,
21 thank you so very much for providing the type of
22 information you have to work from.

23 CHAIRPERSON PEACE: I'd like to say the
24 stakeholders haven't had much time to look at Options 2
25 and 3. I know a lot of them couldn't be here today

1 because they were at a conference somewhere else. So I'm
2 suggesting that we have another workshop for those options
3 to be discussed and really discussed, just not, you know,
4 presented to them. Let them give some of their ideas
5 also.

6 We really need to keep this Manifest System in
7 perspective. Let it do its job in terms of encouraging
8 people to do the right thing by keeping honest people
9 honest. But let's not make it so detailed that it's
10 impossible to administer, not only for us but for the
11 regulated community.

12 So what I'm proposing to do is send this -- I
13 don't think I'm going to send it to the full Board. I'd
14 like to send it back out to the workshops. Let's bake it
15 a little better. Let's get some more input from
16 stakeholders and then bring it back to the Board.

17 Does that sound okay to everybody?

18 DEPUTY DIRECTOR LEE: Yes, Madam Chair. We'll
19 implement that and get on it right away.

20 CHAIRPERSON PEACE: Okay. Thank you. So if
21 there are no more comments, I guess this meeting is
22 adjourned.

23 (Thereupon the California Integrated Waste
24 Management Board, Special Waste Committee
25 adjourned at 11:30 a.m.)

1 CERTIFICATE OF REPORTER

2 I, TIFFANY C. KRAFT, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing hearing was reported in shorthand by me,
7 Tiffany C. Kraft, a Certified Shorthand Reporter of the
8 State of California, and thereafter transcribed into
9 typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said hearing nor in any
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 15th day of November, 2003.

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23 TIFFANY C. KRAFT, CSR, RPR

24 Certified Shorthand Reporter

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